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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 175/2018**

SHRAVAN KUMAR

..... Petitioner

Through : Mr.Mohit Mathur, Sr.Advocate with
Mr.Ashok K.Singh, Advocate.

versus

STATE OF NCT OF DELHI

..... Respondent

Through : Ms.Radhika Kolluru, APP.
Insp.Shiv Darshan.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **12.03.2018**

1. The petitioner seeks regular bail under Section 439 Cr.P.C. in case FIR No.153/17 under Section 20/29 NDPS Act registered at Police Station Crime Branch. Status report is on record.
2. I have heard the learned counsel for the parties and have examined the file. The petitioner is in custody since 25.09.2017.
3. Undisputedly, the case of the prosecution qua the petitioner is based upon circumstantial evidence. No recovery of any contraband was effected from the petitioner. Allegations against him are that he conspired with co-accused persons for committing the aforesaid offences. The petitioner was arrested after about twenty days of the arrest of the co-accused Jagdish on 05.09.2017. The prosecution has

placed reliance only on call detail records between the petitioner and co-accused Saroj Subudhi. It is alleged that accused sent Mobile No.8860594548 of the accused Jagdish to co-accused Saroj from Mobile No.9650310668 through SMS. This circumstance alone at this stage is not enough to deny bail to the petitioner despite bar under Section 37 of the NDPS Act.

3. Considering the facts and circumstances of the case, the petitioner is admitted to bail on his furnishing personal bond in the sum of ₹50,000/-with one surety in the like amount to the satisfaction of the Trial Court.

4. The bail application stands disposed of.

5. Order *dasti*.

S.P.GARG, J.

MARCH 12, 2018 /sa